

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) Case No. 8:12CR418
vs.)
CHRISTOPHER BATES, et al.,)
Defendants.) ORDER

This case is before the court on the government's Motion for Protective Order (#56), the City of Omaha's Motion to Quash Subpoena Duces Tecum and for Issuance of Protective Order (#57), and defendant Christopher Bates' Motion for Contempt Certification and Hearing (#58).

A partial hearing on the motions was held on May 20, 2013, during which the court ordered that the documents subpoenaed from the Omaha Police Department in both their redacted and unredacted form be delivered to the court for an in camera review.

The court has received the documents in their redacted and unredacted form and reviewed the contents. The court finds the government's Motion for Protective Order and the City of Omaha's Motion to Quash Subpoena Duces Tecum and for Issuance of a Protective Order (#57), should be denied as the third-party subpoena falls within the scope of discovery permitted by Fed.R.Crim.P. 17(c). The reports of the Omaha Police Department at issue in their unredacted form should be delivered to defendant's counsel no later than **11:00 A.M., Thursday, June 13, 2013**.

IT IS ORDERED:

1. The government's Motion for Protective Order (#56) and the City of Omaha's Motion to Quash Subpoena Duces Tecum and for Issuance of Protective Order (#57) are denied.
2. The reports of the Omaha Police Department at issue in their unredacted form should be delivered to defendant's counsel no later than **11:00 A.M., Thursday, June 13, 2013.**
3. Defendant Christopher Bates' Motion for Contempt Certification and Hearing (#58) is held in abeyance pending further hearing.

Dated this 6th day of June 2013.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge